

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Eric C. Humphries
Stephen D. Barratt
Ray Stauffer
Paul D. Nowicki
John H. Miller

Docket: 102491-100

Serial No.: 10/777,442 Art Unit: 2837

Filed: February 12, 2004 Examiner: LUKS, Jeremy A.

Assignee: CYRO Industries Conf. No. 4785

Title: PANEL ASSEMBLY FOR TRAFFIC NOISE BARRIER WALL

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, please find enclosed an Information Disclosure Statement, Form PTO-1449 and one copy of each cited reference. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

12/12/2006 RMEBRAHT 00000023 231665 10777442

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CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office via facsimile at (571) 273-8300.

December 6, 2006

Signed: _____

Gregory S. Rosenblatt

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- ☒ Please charge Deposit Account No. 23-1665 in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$180.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.

- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$180.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,
Eric C. Humphries, et al.

A handwritten signature in black ink, appearing to read 'Gregory S. Rosenblatt', written over a horizontal line.

Gregory S. Rosenblatt
Reg. No. 32,489

Date: December 6, 2006

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
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Alexandria, VA 22313-1450

Dear Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to make of record the items on attached PTO Form 1449 which were cited in an International Search Report for corresponding international patent application PCT/US05/04054. Copies of the International Search Report and cited patents, are provided in accordance with 37 CFR §1.98.

1. U.S. Patent No. 4,143,495, which issued March 13, 1979 to Hintz.
2. U.S. Patent No. 4,194,329, which issued March 25, 1980 to Wendt.
3. U.S. Patent No. 4,605,090, which issued August 12, 1985 to Melfi.
4. U.S. Patent No. 5,965,852, which issued October 12, 1999 to Roschke
5. U.S. Patent No. 5,984,044, which issued November 16, 1999 to Christensen.


The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as representation that no better art exists or that a thorough patentability search has been made.

Respectfully submitted,
Eric C. Humphries et al.


Gregory S. Rosenblatt, Reg. No. 32,489

Date: December 6, 2006

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INFORMATION DISCLOSURE 	ATTY. DOCKET NO. 102491-100	SERIAL NO. 10/777,442	
	APPLICANT(S): ERIC C. HUMPHRIES, ET AL.		
	FILING DATE: FEBRUARY 12, 2004	GROUP ART: 2837	CONF NO: 4785

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT No.	ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPR.
	4,143,495	03/1979	Hintz	52	145	
	4,194,329	03/1980	Wendt	52	145	
	4,605,090	08/1986	Melfi	181	210	
	5,965,852	05/1998	Roschke	181	210	
	5,984,044	07/1998	Christensen	181	210	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT No.	ISSUE DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

EXAMINER:	DATE CONSIDERED:

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.